



MEMO:

from LEROY M. HITTLE

12 January 1972

To: Art Mickey
From: Leroy Hittle
Subject: Beer and Wine Wholesalers Petitions for
platform delivery of beer and wine to
licensed retailers.

I am not satisfied that the amendments proposed
by the Beer and Wine Wholesalers provide the
necessary control or safeguard of beer and wine
under the platform delivery concept.

Therefore, I ~~propose the attached~~ amendments to
the Beer and Wine Wholesalers amendment.

Query: Can the amendments to the amendments
be adopted, and then the amendment as amended be
adopted, at Thursday's meeting?

If not, what would be the proper procedure to
put my amendment to the amendment into effect?
Would we have to reject the Beer and Wine
Wholesalers amendment and, in lieu thereof (or at
a subsequent date) propose the amendment with my
amendment on the board's own motion??

lh

CC: Hood, Eldridge, Hilson, Sullivan, Schaller.

Resp to Costco RFP
3047

DEFENDANT'S EXHIBIT	
CASE NO. C04-0360P	
EXHIBIT NO.	458

TX458-001

Delivered to premises of retail business

AMENDMENT TO AMENDMENT TO RULE 49 (11)

In 11th line after word "therefore" and before the period, insert the following:

and upon payment by the licensee to the board of an annual fee of \$5
for each such special identification card. Such written request
shall list the name and address of the wholesaler or wholesalers at
whose platform the retail licensee requests permission to take
delivery of beer, and the name of the adult person or persons authorized
by the retail licensee to take delivery of said beer. The board shall
transmit a duplicate copy of the retail licensee's special identification
card to such wholesaler or wholesalers listed by the retail licensee.
No wholesaler shall permit delivery of beer to a retail licensee at
said wholesaler's platform until the wholesaler has authenticated the
special identification card presented by the retail licensee. Such
authentication shall be effected by the wholesaler's comparing the
special identification card presented by the retail licensee with the
duplicate copy of the special identification card transmitted to the
wholesaler by the board.

AMENDMENT TO AMENDMENT TO RULE 81 (13)

In 11th line after word "therefore" and before the period, insert the following:

and upon payment by the licensee to the board of an annual fee of \$5 for each such special identification card. Such written request shall list the name and address of the wholesaler or wholesalers at whose platform the retail licensee requests permission to take delivery of wine, and the name of the adult person or persons authorized by the retail licensee to take delivery of said wine. The board shall transmit a duplicate copy of the retail licensee's special identification card to such wholesaler or wholesalers listed by the retail licensee. No wholesaler shall permit delivery of wine to a retail licensee at said wholesaler's platform until the wholesaler has authenticated the special identification card presented by the retail licensee. Such authentication shall be effected by the wholesaler's comparing the special identification card presented by the retail licensee with the duplicate copy of the special identification card transmitted to the wholesaler by the board.

Resolution No. 25



*f*rom the desk of

BOB HILSON

11/15/71

ant-
Re Leroy's suggested amendments to Regs. (48)
and (77)--Sales for Cash:

- (a) Would also require amendment to Reg. (32)(2).
- (b) Requiring approval prior to extension of credit appears to put too much responsibility and paper work on Board. Wholesaler should use his judgment.
- (c) Appears that regs. should spell out ground rules, i.e., that retailer would be placed on COD basis if account not paid by 10th of month; interest to be charged on past due accounts, etc.
- (d) Promissory note, postdated check or dishonored check shall not be deemed payment. NSF checks to be reported to Board.

Bob Hilson

To: Jack Hood and Don Eldridge
From: Leroy Hittle
Subject: Petition for Change of Rules re Platform Delivery

I agree with the proposed letter of reply to Vern Lindskog.

If we decide to consider the petition, I think that, along with it, we should consider a change to regulation 48 ~~xxxxxx~~ and Regulation (77) to make them read:

(48) Cash Sales--Exceptions (WAC 314-20-090)

No beer wholesaler nor brewer or beer importer holding a beer wholesaler's license shall sell or deliver beer to any retailer except for cash paid at the time of the delivery thereof: Provided, That in individual and particular cases, upon consent of the board first had and obtained, in writing, cash may be paid prior to the delivery of beer sold to any licensed retailer; And provided further, That credit not to exceed thirty (30) days may be extended to licensed retailers holding licenses under sections 23-L and 23-S-3(4) of the Washington State Liquor Act (RCW 66.24.300 and 66.24.420); ~~xxxxxx~~ And provided further, That credit not to exceed thirty (30) days may be extended to licensed retailers, upon consent of the board first had and obtained, in writing; ~~xxxxxx~~ And provided further, That upon consent of the board first had and obtained, in writing, credit not to exceed thirty (30) days may be extended to licensed retailers, railroads holding licenses under sections 23-L and 23-S-3(4) of the Washington State Liquor Act (RCW 66.24.300 and 66.24.420).

(77) Cash Sales--Exceptions (WAC 314-24-170)

No wine wholesaler shall sell or deliver any wine to any retailer within the state except for cash paid at the time of the delivery of such wine: Provided, That in individual and particular cases, upon consent of the board first had and obtained, in writing, cash may be paid prior to the delivery of wine sold to any licensed retailer; And provided further, That upon consent of the board first had and obtained, in writing, credit not to exceed thirty (30) days may be extended to licensed retailers, railroads holding licenses under RCW 66.24.390 and 66.24.420 (Sections 23-L and 23-S-3(4) of the Washington State Liquor Act.)

*2 agree
LEH 11/1*

*JCH
11-1-71*

*hnh
10-28-71*